



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

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OCT 23 2002

Mr. Mark Shires
Vice President of Operations
Plains All American Pipeline L.P.
Route 1
P.O. Box 596
Cushing, OK 74023

Re: CPF No. 5-2002-5009

Dear Mr. Shires:

Enclosed is the Order Directing Amendment issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes a finding of inadequate procedures and requires that you amend your integrity management program procedures. When the terms of the Order are completed, as determined by the Director, Western Region, OPS, this enforcement action will be closed. Your receipt of the Order Directing Amendment constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

Gwendolyn M. Hill
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)
)
Plains All American Pipeline L.P.,)
)
Respondent.)
)

CPF No. 5-2002-5009

ORDER DIRECTING AMENDMENT

During March 12-13, representatives of the Western and Southwestern Regions, Office of Pipeline Safety (OPS), inspected Plains All American's (Respondent) integrity management program at Respondent's facility in Cushing, Oklahoma. As a result of the inspection, the Western Regional Director, OPS, issued to Respondent, by letter dated April 17, 2002, a Notice of Amendment (NOA). The NOA alleged inadequacies in Respondent's integrity management program and proposed to require amendment of Respondent's procedures to comply with the requirements of 49 C.F.R. § 195.452(b).

Respondent responded to the NOA by letter dated April 29, 2002. Respondent did not contest the allegations set forth in the NOA and did not request a hearing; consequently, Respondent waived its right to one. However, Respondent described the actions it is taking to address the inadequacies in its procedures that were identified in the NOA.

Accordingly, I find that Respondent's integrity management program procedures are inadequate to ensure safe operation of its pipeline system. Pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237, Respondent is ordered to make the following changes to its integrity management program procedures. Respondent must -

1. Amend its procedures for identifying pipeline segments that could affect high consequence areas to consider spill migration via overland transports or waterways.
2. Submit the amended procedures to the Regional Director, Western Region, OPS within 30 days after receipt of this Order Directing Amendment.
3. The Regional Director may extend the period for complying with the required items if the Respondent requests an extension and adequately justifies the reasons for the extension.

The terms and conditions of this Order Directing Amendment are effective upon receipt.

Failure to comply with this Order may result in the assessment of civil penalties of up to \$25,000 per violation per day, or in the referral of the case for judicial enforcement.



Stacey Gerard

in Associate Administrator
for Pipeline Safety

OCT 23 2002

Date